

Express Mail Label # EL777969356US

PATENT

Attorney Docket No : FIVER-00101

Applicant Or Patentee: Weiti Wu et al.
 Serial or Patent No.:
 Filed or Issued: herewith
 Entitled: ALL FIBER GAIN FLATTENING OPTICAL FILTER

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS (37 CFR § 1.9(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Fiver Laboratories
 Address of Concern: 48521 Warm Springs Blvd., Suite 316
 Fremont, California 94539

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §§ 121.3-18, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **ALL FIBER GAIN FLATTENING OPTICAL FILTER** by inventor(s) Weiti Wu et al. as described in:

☒ the specification filed herewith
☐ Application Serial No. , filed
☐ Patent No. , issued

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR § 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27).

Full Name: _____
 Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Gary Chung
 Title in Organization: President and CEO
 Address of Person Signing: Fiver Laboratories, 48521 Warm Springs Blvd., Suite 316, Fremont, California 94539

Dated: 2/5/99

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group:
) Art Unit:
Weiti Wu <i>et al.</i>) Examiner:
)
Serial No.:)
)
Filed: herewith) POWER OF ATTORNEY BY ASSIGNEE
)
For: ALL FIBER GAIN FLATTENING)
OPTICAL FILTER)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Fiver Laboratories, Assignee of the above-identified application by Assignment dated _____ hereby appoints the members of the firm of HAVERSTOCK & OWENS LLP, a firm including Thomas B. Haverstock (Reg. No. 32,571), Jonathan O. Owens (Reg. No. 37,902), Derek J. Westberg (Reg. No. 40,872) and Richard H. Butt (Reg. No. 40,932), 260 Sheridan Avenue, Suite 420, Palo Alto, California 94306, telephone: (650) 833-0160, facsimile: (650) 833-0170, as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.


Please direct all correspondence regarding this application to the following:

Jonathan O. Owens
HAVERSTOCK & OWENS LLP
260 Sheridan Avenue, Suite 420
Palo Alto, California 94306
Telephone: (650) 833-0160
Facsimile: (650) 833-0170

I hereby certify that the Assignment document filed with the application or filed subsequent to the filing date of the application, has been reviewed and I hereby certify that, to the best of my knowledge and belief, title is with **Fiver Laboratories**.

Fiver Laboratories

Dated: 2/5/99

By: 
Name: Gary Chung
Title: President and CEO

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PATENT

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Attorney Docket No. FIVER-00101

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DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that.

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ALL FIBER GAIN FLATTENING OPTICAL FILTER**. The specification of which is attached hereto. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claim

Yes No

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Number

Country

Day/Month/Year Filed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/101,853

September 25, 1998

Application Serial No.

Filing Date


I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.


Filing Date

Status: Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Joint Inventor: Weiti WuInventor's Signature: 

Date

2/5/99Residence: 328 Sandhurst Drive, Milpitas, California 95035Citizenship: Republic of China People Republic of ChinaPost Office Address: 328 Sandhurst Drive, Milpitas, California 95035Full Name of Second Joint Inventor: Yu-Li KoInventor's Signature: 

Date

2/5/99Residence: 45654 Cheyenne Place, Fremont, California 94539Citizenship: United StatesPost Office Address: 45654 Cheyenne Place, Fremont, California 94539

Full Name of Third Joint Inventor: Gary Chung

Inventor's Signature: _____

Gary Chung

2/5/99

Date

Residence: 41366 Charlita Court, Fremont, California 94539

Citizenship: Republic of China

Post Office Address: 41366 Charlita Court, Fremont, California 94539

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